

Appl. No. 10/708,333
Amdt. dated April 3, 2006
Reply to Office action of March 6, 2006

REMARKS/ARGUMENTS

1. Election/Restrictions:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

5 **Group I:** Claims 1-9, drawn to a heating device, classified in class 219, subclass 538.

Group II: Claims 10-15, drawn to method for fabricating a microstructure, classified in class 216, and subclass 52.

10 The inventions are distinct, each from the other because of the following reasons:

 Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of following can be
15 shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP §806.05 (h). In the instant case, the product as claimed can be used in a materially different process of using that product such as forming a pattern
20 using a single stamper instead of two stampers as recited in claim 10.

 Because these inventions are distinct for the reasons given above and have required a separate status in the art as shown by their different classification and recognized divergent subject matter, and the search
25 required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

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Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even through the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

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Response:

Applicant has elected Group I, which are characterized by Fig 1-4 according to 37 CFR 1.143. Claims 1-9 are readable upon the elected Group I. Claims 10-15 are not readable in the elected Group I and thereby are canceled. Consideration of claims 1-9 is politely requested.

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2. Inventorship:

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of the inventorship must be accompanied by a diligently filed petition under 37 CFR 1.48 (b) and by the fee required under 37 CFR 1.17 (i).

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Response:

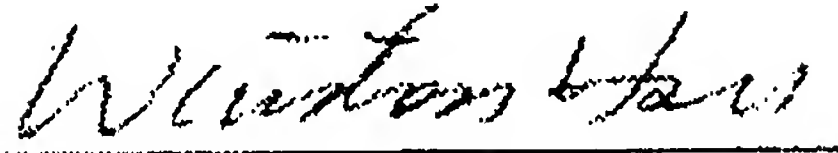
The inventorship of the elected inventions has not changed.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Sincerely yours,



Date: 04.03.2006

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- 10 Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)